



## 1995 SENATE BILL 18

January 17, 1995 - Introduced by Senators C. POTTER, HUELSMAN, BURKE, RISSER, ROSENZWEIG, MOEN, PLEWA, ANDREA and PANZER, cosponsored by Representatives BAUMGART, GROTHMAN, CARPENTER, ZIEGELBAUER, BLACK, R. POTTER, VANDER LOOP, GROBSCHMIDT, ROBSON, BALDUS, OTT, WIRCH, KAUFERT, WILDER, RILEY and HASENOHRL. Referred to Committee on Judiciary.

1     **AN ACT to amend** 949.01 (6), 949.03 (1) (a) and 949.05 (1) (intro.); and **to create**  
2             949.01 (4m) and 949.03 (1) (c) of the statutes; **relating to:** making hit and run  
3             victims who were pedestrians eligible for crime victim compensation awards.

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### *Analysis by the Legislative Reference Bureau*

Under current law, the department of justice (DOJ) makes crime victim compensation awards to or on behalf of victims of specified crimes who suffer personal injury or death. Current eligible crimes include crimes such as various types of homicide, robbery, burglary, reckless driving and driving under the influence of an intoxicant. This bill adds "hit and run" (being involved in a vehicle accident causing injury or death and failing to leave name and to render or summon assistance) to the list of crimes for which DOJ may make crime victim compensation awards, except a victim is eligible only if he or she was a pedestrian.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

4             **SECTION 1.** 949.01 (4m) of the statutes is created to read:  
5             949.01 (**4m**) "Pedestrian" has the meaning given in s. 340.01 (43).  
6             **SECTION 2.** 949.01 (6) of the statutes is amended to read:  
7             949.01 (**6**) "Victim" means a person who is injured or killed by an incident  
8             specified in s. 949.03 (1) (a), or by any act or omission of any other person that is

1 within the description of any of the offenses listed in s. 949.03 (1) (b) or within the  
2 description of the offense listed and the condition provided in s. 949.03 (1) (c). This  
3 definition does not apply to s. 949.165.

4 **SECTION 3.** 949.03 (1) (a) of the statutes is amended to read:

5 949.03 (1) (a) Preventing or attempting to prevent the commission of a crime;  
6 apprehending or attempting to apprehend a suspected criminal; aiding or  
7 attempting to aid a police officer to apprehend or arrest a suspected criminal; aiding  
8 or attempting to aid a victim of a crime specified in par. (b); or aiding or attempting  
9 to aid a victim of the crime specified and the condition provided in par. (c).

10 **SECTION 4.** 949.03 (1) (c) of the statutes is created to read:

11 949.03 (1) (c) The commission or the attempt to commit the crime specified in  
12 s. 346.67 if the victim was a pedestrian.

13 **SECTION 5.** 949.05 (1) (intro.) of the statutes is amended to read:

14 949.05 (1) (intro.) In any case in which a person is injured or killed by an  
15 incident specified in s. 949.03 (1) (a), ~~or~~ by any act or omission of any other person  
16 that is within the description of crimes under s. 949.03 (1) (b) or by any act or  
17 omission of any person that is within the description of the crime listed and the  
18 condition provided under s. 949.03 (1) (c), the department may order the payment of  
19 an award:

20 **SECTION 6. Initial applicability.**

21 (1) This act first applies to offenses occurring on the effective date of this  
22 subsection.

23 (END)